

**How To Develop and Then Teach an Online Law Course
Online Education Protocol For Developers and Instructors
For the ABC Law School
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I. Introduction to online education:

Education in the classroom can be evaluated by physically attending an Instructor's class to ascertain whether teaching metrics are being achieved. These metrics include 1) whether there is a syllabus that is being followed; 2) if students have done the advanced reading assignments; 3) whether the Instructor is engaging students in the learning process; 4) whether or not students are understanding the material, and what adjustments the Instructor is making to discover the stumbling blocks facing the students; and 5) how the Instructor evaluates whether the students are learning the material being taught.

Education in an online setting is different from in-class instruction as the Instructor does not have the visual cues from the students as to whether they are learning the materials being taught. However, many of the same methods used to evaluate in-class education are used in the online context: 1) does the Instructor have a syllabus with reading assignments? 2) is the material being presented in a way that teaches it to the students? 3) is there a discussion forum for students to ask questions and to receive answers from the Instructor? 4) how does the Instructor evaluate whether the students are learning the material?

II. The ABC School's approach to online education:

A sample law school, known as the ABC Law School ("ABC"), is interested in providing online education, particularly for its graduate students. The various graduate degrees are housed in Centers, which are overseen by Center Directors. This document sets out the protocol to be followed by online course Developers and Instructors who will participate in distance education at ABC. The protocol adopts "best practices" for distance education found in the relevant literature and actual experience. There are separate protocols for the Developers (*i.e.*, those who develop the course content) and the Instructors (*i.e.*, those who teach the course and perform activities such as grading.)

This protocol assumes an asynchronous approach to online education delivery. This means that Instructors and students interact exclusively online without a mandatory real-time common classroom component. Consequently, courses must be presented and taught in a way that ensures the students receive an educational experience at least equal to what a classroom-based offering course would provide. The protocol is designed to accomplish that goal.

All online courses will be taught on the Moodle platform – a web-based classroom delivery system used by ABC. The Information Technology department ("IT") will provide technical support for Moodle. ABC's Director of Distance Education (DDE) will determine the scheduling for the development of online courses and the delivery of actual instruction of online courses.

ABC courses are offered over a 14-week semester. Online courses are taught in weekly segments called "modules." A module is composed of course materials provided online and the interactive discussions related to the posted materials. Thus, a course usually has 14 modules – one for each week of class. It is expected that each module will provide students the same amount of instruction as they would receive in a "live" class. Therefore, the length of each module depends upon the number of credits assigned for the course. For example, a 2 credit course has 2 hours of class time, which consists of 1 hour of substantive content posted (with weekly reading assignments) and 1 hour of students' online interaction with the Instructor and other students, as well as completing weekly assessments.

Developers and Instructors play key roles in online education. Developers are responsible for the teaching materials that form the substantive learning base for the course. These materials will be made available online to the students. The specifics are set forth in Section A. Instructors are responsible for teaching the course using the Developer's

materials and are encouraged to provide additional materials deemed appropriate for enhancing the educational value of the course. The specifics are set forth in Section B. It is the Instructors who engage the students in online chat rooms (referred to as discussion forums) and through other interactivity tools, such as conference calls, wikis, and group projects. The Developers are encouraged to insert in the course content recommendations as to interactive tools that could be used by the Instructor, where appropriate. In sum, Developers are responsible for charting the path for the course; Instructors take the students down that path.

SECTION A: DEVELOPERS

Online Developers create or assemble the substantive course content for the Moodle platform. Effective distance education requires that a variety of learning styles to reach all types of students be used and specific learning outcomes be articulated clearly throughout the course. Online development must be somewhat consistent across the curriculum so that students know what to expect in each course. To achieve this goal, the Developer **must** provide each of the following items for a successful online course the following, in a Word document or Word Power Point, plain text or rich text:

- a complete syllabus which includes weekly reading assignments;
- for each week of instruction:
 - learning objectives;
 - substantive course content;
 - class discussion questions; and
 - a weekly assessment tool and answer key;
- a sample final exam, with answer key, or a final project.

The specific requirements for each of these items are discussed in Subsections 1 – 6 below. All materials are subject to the preapproval of the Center Director responsible for the online course.

1. **Syllabus:** A complete syllabus is essential for delivering an online course. The syllabus shapes the course and guides the students' progress through it. The syllabus should specify the topics to be covered for each week and indicate the related reading assignments. As all online students have access to electronic libraries through the ABC library, cases, statutes, regulations, administrative rulings, and similar material only should be reference in the syllabus and not need reproduced or linked to on the Moodle site. Pre-approval from the Center Director is required if a substantial number of reading assignments are taken from a textbook.

The syllabus must have various placeholders where the **Instructor** later will insert:

- a “welcome piece” in which the Instructor will introduce himself or herself to the class;
- a definition of a class week in which the module will be offered (*e.g.*, begins 9 a.m. Monday and ends 6 p.m. the following Sunday);
- discussion expectations as to student and Instructor engagement;
- office hours and the method by which professors will individually meet with the student;
- the grading system to be used in the course;
- the ABC attendance policy and how it applies to an online course; and
- a statement that ABC will provide reasonable accommodations for students with disabilities. The student should be instructed to contact ABC' Disability Office should he or she need reasonable accommodations.

2. **Learning Objectives:** Each module must have clearly articulated learning objectives. The Developer need not identify every item to be learned during the module, but should provide students three to four significant outcomes expected of each student. Examples of learning objectives include, at the end of the class the student shall be able to 1) apply a specific holding to a fact pattern; 2) use a legal doctrine introduced in the material to support a particular position; 3) determine viable outcomes in a specified dispute; or 4) calculate potential obligations that can result from certain transactions.

- 3. Course Content:** The Developer is required to produce lecture material for each week of instruction, as well as supplemental materials. The lecture material may be a video or audio recording, or a typed narrative. The supplemental materials include Power Point slides; an outline of the narrative; handouts to be used in the class lecture; or any combination of these items. If a Power Point presentation serves as the basis of the lecture, the Developer may produce an audio recording that includes instructional material related to each slide. The audio can be transcribed either by IT or through the use of transcription software so that the written instruction appears in the “notes” portion of the applicable slide. If producing an audio for the slides, the Instructor should refer to the slide number or say “next slide” before stating the content for that slide.

Alternatively, the Developer can produce a video recording that provides the necessary instruction as he or she goes through the Power Point slides. Materials that normally are displayed on a blackboard can be captured through other means (e.g., document camera). It is recommended that the Developer refrain from referring to today’s date or today’s events as the material may be used in later years. The Developer should consult IT for best practices and recommended equipment.

The Developer may wish to interject the class discussion questions throughout the lecture material so that the students see the relevance of such questions to the materials.

- 4. Class Discussion Questions:** Each week’s instruction needs to be accompanied with class discussion questions that will later be available to the Instructor for use in the discussion forum.
- 5. Assessment Tools:** To assure that the students are learning the material presented in each module, the Developer is responsible for creating a weekly assessment tool, and if applicable, an answer key. Suggested methods of assessment could include: a quiz; short answer questions; hypothetical problems; and projects.
- 6. Final Exam and Answer Key:** The Developer is responsible for creating a final exam that covers the course material for the entire semester, along with an answer key. Alternatively, a final project can be crafted to serve as the basis for the student’s grade.
- 7. Development Project Worksheet:** When the Developer signs the contract for developing the online course, he or she will sign a Development Project Worksheet that sets forth the due dates for submission of the above material. This Worksheet will be signed by the Developer, Center Director and DDE. Based on the date the contract is signed, the Developer, Center Director, and DDE will coordinate and decide upon the exact due dates so as to avoid over-scheduling IT.

SECTION B: INSTRUCTORS

- 1. Training and Orientation:** Each Instructor is required to take the Moodle instruction course offered by IT. This course will explain how Moodle operates and will familiarize the Instructor with procedures for accessing the course site and editing content or other material on it. This training must be completed at least one month in advance of the first day of class. Instructors will be assigned to someone in IT who will be responsible answering all questions relating to the Moodle system. Instructors are required to attend the Center’s online teaching orientation session at the beginning of the semester to ensure each Instructor fully understands the Center Director’s expectations for both the Instructor and the students.
- 2. Moodle postings:** In advance of the semester that the online course is being offered, IT will post the following items on the Moodle site:
 - The syllabus for the course;
 - A separate module for each week of instruction that includes:
 - the lecture and supplemental materials for that lesson;
 - the class discussion questions posted in the discussion forum that serve as the basis of discussion for that module; and
 - the assessment tool for that module.

Moodle has the ability to show all of the modules (the current week's and all prior weeks' modules) or just the current week's module. Prior to the beginning of the semester, the Instructor will inform IT how modules are to be posted.

3. **Syllabus:** The Developer has crafted a syllabus with the course content, there are various placeholders that must be completed by the Instructor. These includes:

- the Instructor's "welcome piece" (introducing himself or herself);
- dates for each week's reading assignment (e.g., Week 1, begins January 17, 2012);
- the definition of a week for this course (e.g., 9 a.m. on Monday through 6 p.m. on the following Sunday);
- how the Instructor expects to interact in the discussion forum;
- the Instructor's expectations of the students' interaction in the discussion forum;
- the Instructor's office hours for a given week;
- the grading system to be used by the Instructor;
- the class attendance policy; and
- a statement that reasonable accommodations will be made for students with disabilities.

As to the *grading system*, the Instructor will decide whether to assign point values for completion of the assessment tools, for meaningful discussions in the discussion forums or for both. Also, a point value will have to be assigned for the final exam or project. The Instructor will have the discretion to allow students to work in groups for purposes of completing any weekly assessment tool. Moodle has the capacity to set up alternative discussion forums for this purpose so that only students assigned to a given group can participate. Moodle also has the capacity for students to work on a common document (e.g., wiki) which then can be submitted on behalf of the group.

As to *office hours*, the Instructor must have at least one hour of office hours per week of instruction. This can take two different forms: the Instructor may be available in the discussion forum or via a conference call with the students at a specific time during the week. It is not recommended that these office hours be mandatory as the students may not be available during the specific time set by the Instructor. Outside of office hours, the Instructor will indicate his or her expected participation in the discussion forum. This will include the Instructor indicating how many times he or she will participate in the discussion forum outside of office hours and the anticipated length of time needed for the Instructor to respond to a student's question. The Instructor needs to state the technologies required for interaction in this course (e.g., email, telephone office hours, phone conferences, voicemail, chat rooms, web-based discussions, threaded discussions).

As to *expectations for student participation* in the discussion forum, the Instructor needs to set forth clearly both quantitative and qualitative standards. Effective online education requires students interact with the Instructor and other students. The Instructor is responsible not only for providing students those opportunities, but also for delineating the level of participation that meets the educational needs of the course. Thus, the syllabus must indicate the number of times per week the student must engage in class discussions, as well as indicate the length and content that constitutes a meaningful contribution to the discussion. The syllabus shall state that the minimum participation for each student every week including at a minimum that 1) students are required to read the assignments; 2) read, view or listen to posted lectures; 3) complete and submit any required assessment questions or projects; and 4) participate in the discussion forum, including answering the class discussion questions.

As to *class attendance policy*, the Instructor must note that the failure to do **any** one of the required tasks enumerated in the syllabus results in an "absence" for the week. Under ABC policy, a student who is absent for four or more weeks will not be able to sit for the final examination, and thus, shall receive a failing grade

for the course. Instructors are required to take weekly attendance and to post that attendance record on a weekly basis on Moodle.

4. **Class Discussion Questions:** ABC recognizes that there are many different ways to educate students effectively. Therefore, although class discussion questions already have been developed for the course, the Instructor is not obligated to use them, and may make whatever changes or substitutions deemed appropriate. (The Moodle training course will teach the Instructor how to make any desired changes to the course materials.) These questions serve as the basis of discussion forum conversation. While the class discussion questions set the stage for the weekly discussions, the forum also is the means by which the Instructor answers students' questions, raises other questions, provides additional instructional information, and clarifies students' understanding of the course material. The Instructor is to use the discussion forum for this purpose, in lieu of the students' school email accounts.
5. **Assessment Tools:** Submission of the students' answers to the assessment tools must be through the Moodle system; thus the Instructor should not use the students' email addresses for this purpose. The Instructor is not obligated to use the assessment tools or final exam developed for the course. As to the former, the Instructor may make whatever changes or substitutions deemed appropriate with the Center Director's approval. With respect to the latter, he or she may modify the final exam or project, draft an entirely different exam or project, or use an alternate form of final assessment, such as a final paper, provided it serves as a comprehensive understanding of the entire course content, with the Center Director's approval. The Instructor may administer preliminary or a midterm exams over the course of the semester, as well, with the Center Director's approval. The Instructor must submit to the Center Director an up-to-date answer key for any changes to the Developer's exam, as well as for any changes made by the Instructor.
6. **Weekly Monitoring:** The Moodle system can generate weekly reports that set forth the number of "hits" (i.e., posts by a student and Instructor) in the discussion forum. DDE will forward to the Center Director this report for the respective online courses offered through that Center at the end of each week of instruction. The Center Director then uses these reports to assess whether the Instructor and students are engaging in meaningful online interactions. The Center Director will notify the Instructor in writing if he or she is not engaging in meaningful online interactions with the students. The Instructor will be dismissed with the receipt of the third such notice.
7. **Student Evaluations:** At the completion of the course, students will complete online student evaluation forms that will address the quality of the course material delivered by the Developer and the quality of the instruction facilitated by the Instructor. ACB will develop an online student evaluation form and will distribute such form to the students.
8. **Instructor Evaluation:** The Center Director in consultation with the DDE will be responsible for evaluating whether the Instructor is complying with the protocol. The Center Director also will summarize the students' evaluations as to the content and quality of instruction and share those findings with the Instructor.
9. **IT backup:** At the end of each semester, IT will forward to the Center Directors a backup of all online documents used in the Center's online course for that semester. The Center Director will retain a copy of such materials for future reference.

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Introduction to Distance Education

- ▶ Goal: How to design a law course and develop it for online delivery, and then how to teach that course online
- ▶ Pedagogy of online teaching
- ▶ JMLS' asynchronous approach to distance education for its graduate law courses
 - Overall structure on IT side and development and teaching sides
 - Developer's protocol for designing the course
 - Instructor's protocol for teaching the course
- ▶ My experience in development and teaching online courses

Typical Online Law Course

- ▶ Moodle platform – classroom delivery system
 - Supported by IT personnel and edited by Instructors
- ▶ Typical 14-week semester
 - Each week referred to as a module
 - 2 credit course should have 1 hour of substantive content and 1 hours of classroom interaction for each module
 - Required content standard for each module
- ▶ Developers: responsible for the teaching materials that form the substantive learning base
- ▶ Instructors: responsible for teaching the course using the Developer's materials, plus further enhancements based on actual students' needs

Various Required Roles

- ▶ IT to post the Developers' material onto Moodle in a timely fashion prior to the classes' actual instruction
- ▶ Protocol for Developers to follow to assure quality content of materials and timely submission of materials
- ▶ Protocol for Instructors to assure timely use of Developer's materials and adherence to expectations
- ▶ Responsibility to assure coordination between IT, Developers and Instructors according to established time tables

Developer's Protocol

- ▶ Goal: offer a variety of materials geared to students' different learning styles

- ▶ For each course:
 - A complete syllabus with weekly reading assignments
 - For each module:
 - A set of learning objectives
 - Substantive course content
 - Class discussion questions
 - A weekly assessment tool, with answer key
 - A sample final exam, with answer key

Developer's Protocol: Syllabus

- ▶ Syllabus essential in shaping the course and guiding students' progress through the course

- ▶ Topics to be covered each week are listed and related reading assignments
 - If electronic access available through library, no need to post cases, statutes, etc.

- ▶ Placeholders should be left on syllabus for Instructors' variables:
 - A "welcome piece" for Instructor's introduction
 - Definition of "week" and office hours
 - Instructor's expectations re: engagement
 - Grading system
 - School's attendance policy

Developer's Protocol: Learning Objectives

- ▶ A set of statements as to what the student is expected to learn, to do, to apply, etc. as a result of the course content

- ▶ For example,
 - By the end of this module, the student should know how to apply a specific holding to a fact pattern
 - By the end of this module, the student should use a legal doctrine to support a particular position
 - By the end of this module, the student should determine viable outcomes in a specified dispute
 - By the end of this module, the student should calculate potential obligations that can result from a given transaction

Developer's Protocol: Course Content

- ▶ Lecture material for each module, with supplemental materials

- ▶ Lecture materials:
 - Video or audio of an actual lecture, written narrative

- ▶ Supplemental materials:
 - PowerPoint slides, an outline of the narrative, class handouts
 - PowerPoint slides could have audio overlay or notes for each slide

Developer's Protocol: Class Discussion Questions

- ▶ Critical to develop class discussion questions that will be posted in Discussion Forum
- ▶ Ideally, class discussion questions should be of the “open type” so that a variety of answers could exist depending on other facts that could be posed
- ▶ These questions will later be utilized by Instructor in engaging students in learning the material

Developer's Protocol: Assessment Tools

- ▶ An assessment tool is critical to gage whether students are truly learning the material for the given module
 - A quiz, with answer key
 - A set of problems where the student needs to apply the facts to the law
 - A client memo, done collaboratively by students in groups or individually
 - A sample client phone call asking for advice, but requiring follow-up questions to pose the correct answer
- ▶ Final exam, with answer key

Moodle Posting in Advance of Course

- ▶ Prior to the actual delivery of the course, IT will post on the Moodle site:
 - The syllabus
 - For each module
 - The lecture material and supplemental materials
 - Class Discussion Questions posted in the Discussion Forum
 - An assessment tool
 - The final exam

- ▶ Postings can be shown for individual weeks or all weeks

Sample Picture of Moodle Posting

EB 362 - FUNDAMENTALS II OF RETIREMENT PLAN ISSUES

This course is a continuation of Fundamentals I (EB 361), intended for the practitioner who wishes to specialize further in employee benefits. The course continues the in-depth examination of retirement plan issues.

In this course, each "week" starts on Tuesday at 10am CST and runs through 9am the following Monday.

-  Meet and Greet Forum
-  Syllabus
-  Course Announcement - Video from Prof. Kennedy
-  News forum
-  Participation Grades
-  Conference Call - Video Stream (Log in as guest)

1 Class #1, Feb. 7 - Feb. 13: Fiduciary Rules in Chapter 18

-  Chapter 18
-  Lecture (Running Time: 28 min., 00 sec.)
-  Discussion Forum for Chapter 18, Part 1
-  Complete and submit Self-Assessment Questions for Chapter 18
-  Answers to Self-Assessment Problems for Chapter 18

Instructor's Protocol

- ▶ Instructor must be thoroughly familiar with the Developer's materials
- ▶ Instructor is required to take IT's Moodle instruction offered to edit course content and to dialogue with students in the Discussion Forum
- ▶ Orientation program for new Instructors
 - Walking through a sample course as if the Instructor were a student

Instructor's Protocol: Syllabus

- ▶ Instructor must decide and then post within the Developer's placeholders:
 - A "welcome piece" (e.g., audio file, video clip, narrative with picture, introducing Instructor to students)
 - Dates for each week (Jan. 17 through 23)
 - Definition of the week (9 a.m. Monday through 6 p.m. the following Sunday)
 - Expectations for interaction in the Discussion Forum
 - Instructor's office hours
 - Grading system
 - Class attendance policy

Instructor's Protocol: Syllabus

- ▶ *As to grading system:* determine whether to use points for completion of assessment tools and participation in Discussion Forum
- ▶ *As to office hours:* decide whether to be available online during set office hours or to host a conference call or Skype during set office hours
- ▶ *As to student expectations:* set forth expectations of the students and as well as expectations student may have for the Instructor
- ▶ *As to class attendance policy:* decide whether failure to comply with expectations results in an absence for the week and whether a given number of absences results in a failing grade

Instructor's Protocol: Class Discussion Questions

- ▶ It is through the Discussion Forum that the Instructor engages the students in learning the material by dialoguing around the class discussion questions
- ▶ Instructor is free to add or subtract from class discussion questions
- ▶ Instructor may have to interject more class discussion questions or a new assessment tool depending on the students' present understanding

Instructor's Protocol: Assessment Tools and Final Exam

- ▶ Instructor uses the assessment tool to gage whether students are learning the materials
- ▶ Instructor may decide to grade weekly assessment tools
- ▶ Free to add or subtract from existing tools
- ▶ May insert additional quizzes or midterms if material needs to be reviewed
- ▶ Instructor will grade final exam

Overview of Developer and Instructor

- ▶ For Developers, need someone overseeing:
 - The quality of the course content being submitted
 - The delivery of the course content, in accordance with a schedule
- ▶ For Instructors, need someone overseeing:
 - The Moodle instruction prior to first class
 - Orientation for new Instructors
 - Editing of placeholders on syllabus prior to first class
 - Weekly monitoring that Instructor is following syllabus, actively engaged in class discussion questions and taking attendance

Student and Instructor Evaluations

- ▶ Student evaluations: assess that the quality of the material delivered by the Developer and the quality of instruction by the Instructor
- ▶ Instructor evaluation: person responsible for the Instructor should assess whether he or she has complied with duties
 - Instructor should receive this evaluation and a summary of the students' evaluations

Final Thoughts

- ▶ Use of weekly assessment tools
- ▶ Use of a variety of learning skills to reach different learning styles for students
- ▶ Overseeing and monitoring critical to the quality of the course delivery
- ▶ Constant reassessment of course delivery and course instruction